In the High Court of Punjab and Haryana, Chandigarh.

CWP No. 20781 of 2006

Date of Decision: 18.01.2007

Sandeep Kumar

....Petitioner

Versus

State of Punjab and others.

....Respondents.

Coram:- Hon'ble Mr.Justice J.S. Khehar.
Hon'ble Mr. Justice S.D. Anand.

Present: Mr. Parvinder Singh Chauhan, Advocate for
Mr. Sunil Chaudhary, Advocate
for the petitioner.

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J.S. Khehar, J. (Oral).

Through the instant writ petition, the petitioner is seeking to impugn the order dated 24.1.2005 (Annexure P-10), whereby certain recoveries are sought to be made from the petitioner. In order to impugn the order dated 24.1.2005, it is the contention of the learned counsel for the petitioner, that the State government provided for 100% subsidy to farmers, who accepted to engaged themselves in prawn fish farming.

In the first instance, the petitioner had approached this Court, by filing Civil Writ Petition No.18710 of 2005. At that juncture, the aforesaid writ petition was withdrawn by the petitioner so as to enable him to file a fresh writ petition on the same cause of action, as also, in order to place on the record of the case the policy, under which the 100% subsidy

was being claim by the petitioner.

It is, therefore that, the instant writ petition has been filed, wherein the petitioner has appended the policy dated 8.8.2001 (Annexure P-3). We have perused the aforesaid policy. Undoubtedly, the same relates to the object in question. However, the plan of action envisaged by the aforesaid policy, pertains to the implementation thereof in only seven districts of the State of Haryana, namely, Hisar, Rohtak, Sonepat, Sirsa, Jind, Faridabad and Gurgaon. It is not a matter of dispute, that the petitioner's prawn fish farm is located in District Karnal.

In view of the above, we are satisfied, that the petitioner cannot claim the subsidy, envisaged in the policy dated 8.8.2001 (Annexure P-3).

Faced with the aforesaid predicament, noticed hereinabove, learned counsel for the petitioner invited our attention to an advertisement, which appeared in the 'Dainik Bhaskar' dated 24.12.2002 (Annexure P-5), relating to the implementation of a pilot project for prawn fish farming in the districts of Yamunanagar, Karnal, Bhiwani and Fatehabad, besides the districts referred to in the policy dated 8.8.2001 (Annexure P-3). It is the vehement contention of the learned counsel for the petitioner, that the policy Annexure P-3 must be deemed to have been extended to the additional districts, referred to hereinabove, by the advertisement dated 24.12.2002 (Annexure P-5).

Having considered the instant submission of the learned counsel for the petitioner, we find no merit therein. A perusal of the policy dated 8.8.2001 (Annexure P-3) reveals, that the same was for implementation in areas where there is salinity in the land, whereas, the advertisement dated 24.12.2002 reveals, that the project to be implemented

in the additional districts, relates to prawn fish farming in sweet water. In view of the above, it is not possible for us to accept, that the advertisement dated 24.12.2002 extended the districts, envisaged by the policy dated 8.8.2001.

Dismissed.

(J.S. Khehar)
Judge.

(S.D. Anand)
Judge.

18.01.2007
sk.